

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICHARD C. SPRUEL JR.,

Plaintiff,

v.

HAROLD CLARKE *et al.*,

Defendants.

Case No. C06-5021RJB

ORDER ON PLAINTIFF' MOTION
FOR AN EXTENSION OF TIME TO
FILE AN OPENING BRIEF

This action, brought under 42 U.S.C. 2000, has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). The plaintiff has been granted leave to proceed *in forma pauperis*. This court has denied a motion for injunctive relief and plaintiff has filed an appeal from that denial with the Ninth Circuit. Plaintiff has now file a motion for an extension of time to file an opening brief. (Dkt. # 37).

This court lacks authority to grant an extension of time as the brief is for another tribunal. Plaintiff will need to address this issue with the Court of Appeals and not this tribunal.

The clerks office is directed to send copies of this order to plaintiff and counsel for defendants and remove Dkt. # 37 from the courts calendar.

DATED this 31st day of July, 2006.

/S/ J. Kelley Arnold

J. Kelley Arnold

United States Magistrate Judge